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Republic of Korea

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I. Introduction

1. Entering its third cycle in 2017 after its inception in 2008, the Universal Periodic Review (UPR) has become a platform where all United Nations (UN) member states review human rights records and hold constructive dialogue to discuss ways to improve human rights, one of the three pillars of the UN. The Republic of Korea (ROK), a member of the UN Human Rights Council (HRC) and having served the presidency of the Council in 2016, welcomes the central role of the UPR in the HRC. The Government of the Republic of Korea (ROK) will continue to commit to promoting and protecting international human rights as a responsible member of the international community.

2. The new administration took office on 9 May 2017, having placed the human rights protection a centrepiece of the state affairs and announced on 19 July one hundred specific policy tasks which include ways to materialize the policies. The tasks contain reinforcing freedom of expression and the independence of the press to uphold democratic principles; strengthening independence and competence of the National Human Rights Commission of Korea (NHRCK); prohibiting discrimination across all sectors of the society; cementing the rights to labour, to social security, to education and to health; and contributing to democracy and the human rights protection in the world, particularly in Asia. As of August 2017, the Government is drafting specific plans to implement these tasks.

3. After the second UPR in October 2012, the Government disclosed the outcome report of the HRC to the public. In August 2013, the Government ministries participated in a review and task selection session in its effort to incorporate the UPR recommendations into specific policy tasks, and reflected the result in the National Action Plan for Human Rights (NAP), which had been implemented since 2012.

II. Methodology and consultation process

4. This national report was drafted by the Ministry of Justice through consultation and cooperation with 12 Government ministries and agencies. In the process of drafting this national report, the Ministry of Justice held a public consultation meeting with representatives from civil society groups along with relevant ministries, the NHRCK, and discussed how to incorporate recommendations in the previous UPR and proposals of the civil society groups. The Ministry of Justice also posted the draft national report on its homepage to gather opinions from the general public. Certain proposals from the civil society and the general public have been reflected in this national report. The Government intends to take the proposals for policy changes from the civil society into consideration during the process of policy making and implementation.

5. Following the second UPR, which resulted in a total of 70 clustered recommendations, the Government held a meeting to collect the opinions of civil society before deciding on the acceptance of the recommendations, and finalized its position on recommendations at the National Human Rights Policy Council after the inter-ministerial consultations. In November 2014, the Government provided its response on the policy proposal by the civil society groups regarding the implementation of the UPR recommendations. Based on this response, a consultation meeting to discuss the UPR implementation was held in March 2015 with representatives from ten Government ministries and agencies, the NHRCK and ten civil society groups.

6. Based upon these consultations of relevant stakeholders, the Government submitted its voluntary mid-term report to the UNHRC on the implementation status of the recommendations made in the second UPR. The public interest and understanding of the UPR grew a great deal, as suggested by the symposium on the implementation of the UPR

recommendations held jointly by the Korean Bar Association and the civil society groups. (Recommendation 15)

III. Implementation of recommendations from the second Universal Periodic Review

A. Acceptance of the international human rights norms and mechanisms

7. The Republic of Korea is a State party to a number of key international human rights treaties, and has accepted the right to individual complaints under four human rights treaties. The Government extended a standing invitation to all thematic special procedures in 2008, following voluntary pledges provided upon the candidacy for one of the first members of the HRC. The Government has held candid and constructive dialogues with special procedures during country visits including the Special Rapporteur on freedom of expression in 2011; Special Rapporteur on the situation of human rights defenders in 2013; Special Rapporteur on racial discrimination in 2014; Special Rapporteur on toxic wastes in 2015; and Special Rapporteur on peaceful assembly and association; and the Working Group on business and human rights in 2016. The Government further supported the Working Group on Enforced or Involuntary Disappearances to hold the 111th session in Seoul. (Recommendation 16, Mid-term report)

8. As for the treaties that the Republic of Korea has not ratified, the government-commissioned research projects have been carried out on the *Convention on the Protection of All Persons from Enforced Disappearance* and the *Optional Protocol to the Covenant on Economic, Social and Cultural Rights*. Regarding the *Optional Protocol of the Convention against Torture*, the Government continues research on international and domestic norms concerning the definition and the scope of detention, etc., as part of its study on the necessity of amending domestic law and the scope of the amendment deemed necessary. (Recommendations 1, 2, 3, 4, 6)

9. The Government considers that the *International Convention on the Protection of the Rights of All Migrant Workers* and the ILO *Convention Concerning Decent Work for Domestic Workers* are significantly incompatible with domestic law. The ratification of the *Second Optional Protocol to the International Covenant on Civil and Political Rights* is premature at the moment, as it is a matter closely linked to the abolition of death penalty. Meanwhile, the ratification of the ILO's four fundamental conventions concerning freedom of association and prohibition of forced or compulsory labour have not proceeded owing to a number of discrepancies with domestic law and the administrative practice that is far from what is stipulated in the Conventions. However, the new administration which took office in 2017 plans to reform labour-related institution and practices including labour-management relations to create a society that respects labour, taking special note of ensuring basic labour rights to meet the international standard by actively pushing forward the ratification of those four fundamental conventions. (Recommendations 1, 5, 7, 35)

10. The inter-ministerial consultations have been carried out on the withdrawal of the reservations to Article 21 paragraph (a) of the *Convention on the Rights of the Child* pertaining to adoption, as the revisions were made on the related legislations and the process for withdrawal of the reservation is underway. On the other hand, the amendment was made in March 2014 on Article 732 of the *Commercial Act*, which prohibited life insurance contracts for persons with disabilities, but the Committee on the Rights of Persons with Disabilities expressed that such amendment is still inconsistent with the *Convention on the Rights of Persons with Disabilities*, which called for the need to re-examine the withdrawal of the reservations. (Recommendations 10, 11, 12)

11. The second NAP, the blueprint for the Government's human rights policy, which spans from 2012 to 2016, has been completed. The Government plans to establish the third NAP this year, which will be attuned to the new administration's human rights policy and the one hundred policy tasks. A public hearing was held to gather proposals of the civil society and experts. The third NAP will be adopted at the National Human Rights Policy Council after developing specific tasks that incorporate the new administration's agenda and holding further consultation with civil society. The external advisory panel, which monitors and assesses the progress of the NAP, was reorganized in 2013 to include representatives of civil society groups and experts. (Recommendation 15)

12. To bolster the status of the NHRCK, the *National Human Rights Commission of Korea Act* was amended in February 2016, which ensures transparency in nomination and election process and diversity of human rights commissioners, and stipulates the functional immunity for any remarks or decision in the course of performing their duties. The NHRCK is making efforts to achieve diversity in the commissioners by setting guidelines on the election of commissioners and recommending the appointing institutions to follow them. The NHRCK also announces the vacancy of a commissioner, receives recommendations of candidates from the public, and delivers the list to the appointing authorities. (Recommendation 14)

13. In August 2014, the NHRCK newly established the Child and Youth Rights Division which is exclusively in charge of the rights of children and composed the committee on the rights of children in May 2016, reinforcing the independent monitoring of implementation of *the Convention on the Rights of the Child*. In the meantime, the Government reconvened the Child Policy Coordinating Committee and regularly discussed the overall governmental policies on children. In 2015, the Coordinating Committee established and announced the first basic plan for child policy. (Recommendations 17, 18, 19)

14. Under the *Framework Act on International Development Cooperation*, the official development assistance (ODA) is provided for the fundamental purpose of reducing poverty in developing countries; promoting the rights of women, children and persons with disabilities; achieving gender equality; and realizing sustainable development and humanitarianism. The Republic of Korea spent a total of USD 1.92 billion on ODA in 2015, which is 0.14 percent of its GNI, and the expenditure increased by an annual average of 10.2 percent between 2011 and 2015. Through the Second Basic Plan for International Development Cooperation from 2016 to 2020, the Government intends to increase its ODA share of GNI to 0.2 percent by 2020, and to 0.3 percent, the average of the DAC members, by 2030. (Recommendation 70)

B. Principle of equality and non-discrimination

15. The Constitution, the National Human Rights Commission of Korea Act, and 90 other legislations prohibit discrimination in a number of sectors based on various grounds, including sexual orientation and gender identity. Since 2006, the Government collected various opinions and continued with its research for the sake of legislative integrity in an effort to enact general anti-discrimination laws. Nevertheless, legislative procedure did not proceed, as a number of legislative bills proposed by the Government and lawmakers did not make it to the discussion at the National Assembly and were discarded upon expiration of the term. In 2013, the Government presented the enactment of anti-discrimination act as one of the policy tasks, organizing a working group to undertake the enactment of the law and conducting research on foreign legislations and precedents. Nonetheless, legislative process has been stagnant because of social controversy related to prohibited grounds of discrimination such as sexual orientation. The Government will carry on research and

review a number of issues pertaining to the general anti-discrimination law and listen to public opinion. (Recommendations 21, 22, 23, 24, 30, 33)

16. The Government shifted the paradigm of policy on women to gender mainstreaming, aiming at achieving gender equality by more effective use of the policies that had been in place, including Gender Impact Analysis and Assessment, Gender Budget and Gender Statistics. The Committee on Gender Equality has been tasked with duties including coordination, cooperation, and execution of policies on gender equality by central government and local government. A new obligation on the ODA to make efforts to encourage equal participation of both genders and to develop measures to ensure gender equality in the programs was introduced. (Recommendations 25, 26)

17. To tackle racial discrimination and xenophobia, the Government is actively pursuing policies to prohibit discriminatory practices against and to protect human rights of foreigners by means of education and promotional activities under the *Act on the Treatment of Foreigners in Korea*. The ROK also legislated the *Protection and Promotion of the Diversity of Cultural Expressions Act* in 2014 to implement the UNESCO *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, to which the Republic of Korea acceded. Meanwhile, the Korea Communications Standards Commission (KCSC), established in accordance with the *Act on the establishment and operation of Korea Communications Commission*, independently performs its duties, carrying out impartial review in line with the prescribed regulations and procedures. Furthermore, the KCSC carries out a review on broadcasts inciting prejudice and making derisive or disparaging remarks against persons of a certain racial profile, and imposes sanctions on broadcasters violating the related provisions. The KCSC carries out the same function regarding racial discriminatory expressions on the internet in accordance with the Review Regulations on Internet and Telecommunications. Along with these efforts, the KCSC published guidelines on media language and provided periodic education for broadcasting stations to use it for review. (Recommendation 30)

18. The crime of indecent act stipulated under Article 92-6 of the *Military Criminal Act* does not intend to impose criminal punishment by reason of one's sexual orientation, but is set out to uphold military order and discipline, taking into account the nature of communal living in barracks. The Constitutional Court has also ruled several times in favour of the constitutionality of the concerned provision for this reason. Nonetheless, an amendment bill to abolish the provision has been submitted to the National Assembly and the Ministry of National Defence is considering the necessity of the amendment. (Recommendation 34)

C. Civil and political rights

Rights to life, liberty, and safety

19. The Republic of Korea is a *de facto* abolitionist country which has not executed capital punishment since December 1997. The actual abolishment of death penalty, however, merits comprehensive and careful consideration, as it requires a comprehensive review of the public opinion, legal perception, social reality, the function of criminal policy, and the entire criminal punishment system with death penalty as the maximum penalty. The ratification of the *Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of death penalty* will be considered depending on whether or not the Government decides to abolish the death penalty or officially declare moratorium. (Recommendation 35)

20. The suicide rate in the Republic of Korea shows the highest rate among all OECD nations. However, the suicide rate is on downward trend thanks to proactive policy efforts of the Government, including the legislation of the *Act for the Prevention of Suicide and the*

Creation of Culture of Respect for Life in 2011, and prohibition of production and distribution of toxic herbicide such as parquet, which was frequently used by the elderly to commit suicide. The Government-led efforts to reduce the suicide rate include counselling and support for people at high risk of suicide through 241 mental health centres nationwide, counselling through suicide prevention lifelines available 24/7, and follow-up measures for people visiting emergency rooms due to failed attempt at committing suicide. Starting in 2018, the Government plans to impose greater accountability on local governments for suicide prevention by assessing the result of the suicide prevention plans put forward by the local governments.

21. The act of torture or cruel treatment is punishable under the *Criminal Act* and the special criminal act. The NHRCK conducts independent monitoring of torturous acts upon the complaints submitted by victims of torture, with various means including investigation, *ex officio* investigation and visits. In 2007, the Government of the Republic of Korea codified the right to have a lawyer be present during interrogation of a suspect, so as to prevent any human rights violations such as acts of torture during investigations. This has significantly driven up the participation rate of legal counsel during interrogations. The Government has also developed and operated human rights education programs tailored to different nature of duties of the prosecution, the police and the military. (Recommendations 3, 13, 16, 37)

22. While ensuring peaceful protests, the police hold on to the principle of strict response against violence in the protests. It educates the frontline police officers on human rights protection and rules compliance, and ensures they learn the manual on dealing with situations that could erupt during demonstrations. As for Mr. Baek, a farmer who was injured in a demonstration in November 2015 and died in September 2016, the prosecution is currently conducting investigation on the case, according to which the police will take corresponding measures. Furthermore, the police have organized the Police Reform Committee, consisting of experts from civil society groups and academia. The Inquiry Committee on Human Rights Violations by the Police was established under the Police Reform committee, which carries out inquiries on human rights abuses committed during the police response to demonstrations and investigations. The Inquiry Committee will look into the conditions and factors that contribute to occurrence of human rights violations, and take relevant measures such as improving the institutions and practices to prevent recurrence of human rights abuses. (Recommendation 36)

23. The *Special Act on the Support for Mine Victims* was enacted in 2014, and has been in force since 2015. Under the Act, the mine victims are supported by medical subsidies and compensation. As of February 2017, a total of 428 applications were filed, 135 of which were reviewed and KRW 4.7 billion was paid to 80 victims in the form of medical compensation and medical subsidies. Currently, 293 applications are under review and 55 applications were dismissed. (Recommendation 44)

Privacy, marriage and family relationship

24. A resident registration number is necessary as a basic scheme for improving the citizen's convenience and for administrative purposes. In December 2015, the Constitutional Court ruled that the previous practice of prohibiting the change of the resident registration number is incompatible with the Constitution, for it may extremely limit one's right to informational self-determination. The Government amended the relevant legislation in line with the decision made by the Constitutional Court, and change of the resident registration number became available through the review and decision by the Committee on Change of Resident Registration Number upon the request made by those who either have suffered damages including loss of life, bodily injury, property loss or sexual violence or are at the risk of such damages resulting from leaked information.

25. The *Act on the Promotion of Information and Communications Network Utilization and Information Protection* (hereinafter "Information and Communications Network Act") was revised in March 2016, tightening measures for deleting of and blocking access to leaked personal information. The amended Act also introduced punitive damages under which an organization responsible for the leakage of personal information either by intention or by negligence is subject to aggravated liability and has to pay for as much as three folds of the damages it inflicted and strengthened punishment for transfer of personal information abroad, which are defined in specified acts. The executive of a business in breach of the *Information and Communications Network Act* is to be charged with more accountability, and any profits obtained by crimes concerning personal information shall be confiscated or forfeited. The Government also amended the *Act on the Protection, Use, etc. of Location Information* in 2016 in an effort to tighten control over any attempt to misuse one's location information, by including an employee of a location information provider in the provision regarding the grounds for disqualification of holding access authority to personal information. These are all parts of the Government's effort to step up its privacy protection measures that emerge with the advancement of ICT.

26. The Government introduced the Comprehensive Plan to Prevent Domestic Violence in 2011, expanded the scope of institutions obliged to receive mandatory education on the prevention of domestic violence, and exerted its effort to raise awareness of domestic violence and its elimination. Police stations at all levels have been deployed with police officers exclusively in charge of domestic violence. The *Act on Special Cases Concerning the Punishment, etc. of Crimes of Domestic Violence* was amended to strengthen the early response to domestic violence, granting the police with authority to enter the site of violence to investigate; allowing the victims or their legal representatives to request a protective order by the court; and imposing punishment on anyone who fails to comply with an urgent interim measures. The change of resident registration number has been allowed since May 2017, for the victims of sexual violence, domestic violence, or sex trade who either have been damaged or are at risk of damage from the leakage of resident registration number and this policy will further be complemented taking into account the needs of the victims of violence. Moreover, the Government will enact a comprehensive and general legislation for the prevention of gender-based violence. (Recommendations 27, 39)

Fundamental liberty: Freedoms of religion, expression, association, and peaceful assembly

27. Taking into consideration the unique security situation of the Korean peninsula and the equity of the military service system, the introduction of alternative service for conscientious objectors has to be preceded by public consensus and thorough discussion. Public discussion regarding the issue is underway, as the Constitutional Court held an open hearing regarding the matter, a legislative bill introducing alternative service for conscientious objectors has been submitted to the National Assembly and the relevant Ministry has also conducted a public opinion survey. (Recommendation 53)

28. The disposition of security surveillance is imposed on a person who has committed crimes that could harm the basic democratic order such as insurrection, and whose risk of repeating a crime has been recognized. The Government carries out objective and practical review on the risk of recidivism, on which a disposition is made, and thorough investigation on the prisoner, along with keeping diversity of the members of the deliberation committee on security surveillance disposition, so as to ensure that a probation decision is not arbitrarily made. (Recommendation 58)

29. The *National Security Act* (NSA) is strictly interpreted and applied in accordance with the rulings made by the Constitutional Court and the Supreme Court, in order to

prevent the abusive application of the Act. The application of the Act is strictly limited to the minimum necessary scope, which is to maintain the survival and safety of the nation as well as the basic liberal democratic order, so as not to unjustly limit the freedom of expression. The number of detained people for violating the NSA remains low, with only 26 in 2012, 38 in 2013, 7 in 2014, 26 in 2015, and 21 in 2016. (Recommendations 54, 55, 56, 57)

30. Freedom of expression on the internet is protected as much as possible in accordance with the Constitution and relevant laws. Article 44-2 under the *Information and Communications Network Act* stipulates that any information that violates other people's rights, such as the right to privacy or the right to reputation, is subject to *ad hoc* measures. Article 44-7 of the Act also prohibits the circulation of unlawful information, which may be rejected, suspended or restricted after the deliberation of the Communications Standards Commission. The Government has been carrying out tasks regarding *ad hoc* measures to enhance procedural fairness by proposing the amendment of the *Information and Communications Network Act*, to introduce the right of a publisher of information to file an objection to the *ad hoc* measure. (Recommendations 50, 51)

D. Economic, social and cultural rights

Fair and favourable labour conditions

31. The Government provides various training programs such as career consulting, career training, job adaptation training, job matching and follow-up management to address the employment rate of youth and women and to provide quality jobs. In particular, the Government has been carrying out the Employment Success Package Program since 2009 to assist the employment of low-income groups. As for the middle-aged and the elderly, the Government extended the retirement age to 60 by amending the *Employment Promotion for the Aged Act* in 2013 and has offered support scheme tailored for the middle-aged and the elderly to facilitate their re-employment. (Recommendation 60)

32. The minimum wage scheme applies to all kinds of businesses and workplaces except for businesses that only employ relatives living together with the employer, persons employed for housekeeping, and seafarers and ship owners subject to the *Seafarers' Act*. Since 2013, the Ministry of Employment and Labour has been prompting the Minimum Wage Council to raise the minimum wage to a reasonable level in light of economic growth and inflation to improve distribution of income. Recently, minimum wage was raised by 7–8% in the past few years and the Minimum Wage Council recently decided to increase minimum wage by 16.4% for the year 2018.

33. One of the most critical challenges in Korea's labour market is discrimination between regular workers and non-regular workers. The Government devised the Comprehensive Measures for Non-Regular Workers in 2011 and again at the end of 2014. As of August 2014, non-regular workers accounted for 32.4% of the total paid workers and the disparity in the working conditions between regular and non-regular workers are significant in terms of wage, subscription to social insurance, and the period of employment. Various efforts have been put in place including a minimum wage increase, expansion of social insurance subsidies to low-income non-regular workers, expansion of severance pay coverage for non-regular workers, encouraging the conversion of the status of non-regular workers to the regular status and prohibiting discriminatory practices against non-regular workers, strengthening the effectiveness of the discrimination correction system by expanding the scope of the corrective orders on discriminatory practices and by introducing punitive. The Government is also making efforts to improve the actual treatment and to protect basic working conditions for daily workers and workers provided by contracted firms. As a result, the total hourly wage of non-regular workers is on the rise,

and the wage of non-regular workers compared to that of regular workers has also improved from 61.3% in 2011 to 66.3% in 2016. The Government devised a plan in July 2017 to convert non-regular workers in public sector to regular workers, through which the overuse of non-regular employment for the purpose of cost reduction will be restricted. The Government will also devise a roadmap to prevent the overuse of non-regular employment and to improve treatment of non-regular workers in private sectors, with a view to achieving the Government's objective to foster a labour-respecting society.

34. As for the workers in special types of employment, who have not received sufficient legal protection due to their status and not recognized as a worker under the *Labour Union Act*, the court until now has determined whether a person is a worker on a case-by-case basis due to various types of work and the degree of the dependency to their employer. However, the need for legal protection has arisen as the number of workers in special types of employment grew and they are under either direct or indirect control of an employer depending on the type of work. In response to the calls for legal protection for workers in special employment, the Government has made policy efforts as to the detailing of unfair trade practices under the *Monopoly Regulation and Fair Trade Act*, the application of the *Act on the Regulation of Terms and Conditions*, and the special application of the *Industrial Accident Compensation Insurance Act*. The Government plans to provide measures to protect basic labour rights of those in special types of employment through public discussion involving the government, employer, and worker representatives as well as experts from the related fields.

Rights to social security and to adequate standard of living

35. The Basic Living Security System is being modified so that the criteria for obligatory support providers better reflect the reality, by narrowing down the scope of obligatory providers and easing the criteria to determine support capability determination. In 2015, the existing single selection criteria was substituted with multiple criteria for the provision of different kinds of benefits and relative poverty line was introduced, changing the eligibility formula for benefits from the percentage of the minimum wage to the standard median income. This is to enable the recipient, even when their income increases beyond the threshold, to continue receiving benefits that are needed for specific circumstances of the recipient's household. Also, the system was modified to exempt a spouse of the deceased obligatory providers from the responsibility to support the recipient. The income criteria for determining the obligatory provider's ability to provide support were alleviated to enable obligatory providers to maintain a decent life at the level of median income while also supporting the recipient. The income criteria were further eased for the obligatory provider whose family member has severe disabilities. The recipients of education benefits no longer have to satisfy the requirement of obligatory support criteria under the modified system. (Recommendations 59, 60)

36. The Government made a paradigm shift in building social safety net to eradicate poverty, ensuring that the focus of the Government support lies in enabling the recipients to cut themselves off poverty. The introduction of the disability pension scheme, the identification and support for the potentially poor, and the adoption of basic pension scheme are all part of the Government's efforts to better ensure income security for vulnerable groups and to reduce poverty. At the same time, the Government focuses on associating welfare system with labour, reinforcing labour incentives that help the low-income population overcome poverty and able to self-support. The basic pension system introduced in 2014 has replaced the previous basic old age pension to provide the bottom 70% of the elderly aged over 65 with stable income. As of the end of 2016, around 4.58 million people, 65.6% of around 6.99 million elderly citizens, were the recipients of the basic pension. (Recommendation 59)

37. From 2013 to 2017, a total of 531,000 public rental houses were provided through the Government's initiative to expand public housing. The Government also plans to procure housing sites to provide 150,000 houses for college students and newlyweds by 2017. The New Stay Project, which claims to be a quality rental housing program offering residential stability for the middle class, provides various options, disaggregated by housing providers, house types and land type, such as urban-type, land lease-type, cooperative association-type and *han-ok* (traditional Korean house)-type. The Government is promoting a policy for low-income families by expanding housing benefits in order to better meet their particular needs. As of the end of 2016, housing benefits were provided to a maximum of 811,000 households with an average housing benefit for monthly rent or support for house renovation at KRW 111,000. (Recommendation 61)

Right to health

38. The coverage of the National Health Insurance inched up from 62% in 2013 to 63.2% in 2014 and 63.4% in 2015. The Government establishes and implements the mid-term national health insurance plan every five years. The goal spanning from 2014 to 2018 is to ensure fair health coverage for all people by alleviating the medical expense burden and improving health. The plan consists of 32 specific tasks for three objectives, which include ensuring essential health care services for major health issues of each life cycle stage; tackling expensive healthcare services that are uninsured; and strengthening health care support for vulnerable groups and the marginalized. In particular, the plan intends to support marginalized groups by expanding provision for prosthetic appliances for persons with disabilities, to improve criteria for eligibility, and to expand coverage of health care costs for portable oxygen therapy devices, breathing apparatus, and other essential home-visiting physical treatment. The Government's effort to secure the right to health also includes the maximum limit for co-payments of health care costs depending on the income group to which a recipient belongs.

39. The mental health policy of the Republic of Korea is under transformation: the policy previously focused on the medical treatment of the mentally ill, but now it is leaning toward early detection of mental illness, reinforcement of the support for persons with mental illness to return to society, and stronger mental health for all. Taking note of a change in policy focus, the *Mental Health Act* was wholly revised on 29 May 2016 to the *Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients*, which took effect on 30 May 2017. The revision significantly improved the conditions and procedures for hospitalization and lowered number of human rights abuses of patients. Furthermore, welfare services support has been buttressed by the revised Act, which newly stipulates support for social integration of persons with mental illness. The Government plans to expand considerably the infrastructure and personnel of mental health centres to establish the system for early detection of mental illness and to launch a nationwide mental health service.

Right to education

40. As of 2016, enrolment for preschool marked 50.7%, elementary school 98.1%, middle school 94.9%, high school 94.1%, and tertiary institutions 68.5%. Education is compulsory until middle school, and the Government plans to expand compulsory education to high school.

41. The Government amended the *Higher Education Act*, placed an upper limit on the increase of college tuition, and established the Enrolment Fee Deliberation Committee in order to make college tuition affordable. In 2012, the Government launched the state scholarship scheme, and successfully reduced the tuition fee burden on students and parents by 50% on average by means of government-funded scholarship of KRW 3.9 trillion and an

additional KRW 3.1 trillion colleges solicited by such measures as freezing and cutting tuition, and creating scholarship fund. As of 2017, state scholarship can be categorized into three types: first, students receive different amount of financial aid depending on their family's income; second, students receive scholarship whose amount is calculated in association with the efforts of their colleges to reduce tuition; third, students from multiple-children family receive scholarship specifically designed for them. Moreover, the interest rate on student loan is 2.5%, significantly lower than inflation rate, which contributes to better access to tertiary education by reducing tuition burden. (Recommendation 63)

E. Protection of the rights of women and children

42. To ensure non-discrimination against women and achieve gender equality, the Government wholly revised the *Framework Act on Women's Development* into the *Framework Act on Gender Equality*. The paradigm of the policies on women shifted from women's development to the actual gender equality. All Government agencies are now responsible for taking up measures for gender mainstreaming in the course of performing their duties. The revised Act newly stipulates provisions concerning the Gender Impact Analysis and Assessment, Gender Budgeting, Gender Statistics, Education on Gender Sensitivity, and developing and announcing the Gender Equality Index. The national gender equality index is composed of eight categories and 23 indices, including economic activity, decision making, education and career training, welfare, health care, safety, family, and culture and information. (Recommendations 26, 27)

43. To tackle prejudice and discrimination against single-parent families, schools at all levels provide education on single-parent families and educate relevant officials on building up expertise on the matter. Furthermore, the *Single-Parent Family Support Act* was amended in 2016, which sets forth the principle of non-discrimination against children from single-parent families, when caring and educating children. The Government organizes the awareness campaign on single-parent families, while supporting teen fathers and teen mothers by means of additional child support subsidies, education subsidies to prevent academic suspension, and subsidies to support their financial independence. The Government also legislated the *Act on Enforcing and Supporting Child Support Payment* in 2014 to enable single parents with minor children to receive child support from non-custodial parents. The Child Support Agency was established in 2015 to offer a one-stop service covering consultations, negotiations, litigation and collection, and follow-up management. (Recommendation 28)

44. In order to address the inequality of women in employment and labour market, *the Equal Employment Opportunity and Work-Family Balance Assistance Act* stipulates the principle of equal pay for equal work, the violation of which is subject to criminal punishment. Various policies have been put in place to enable work-family balance and prevent women's career break, such as childcare leave, part-time job, flexible work arrangements, and the establishment of infrastructure for telecommuting and ubiquitous working. Childcare leave was expanded in 2014 to allow the parents with children under the age 8 or grade 2 to take the leave up to one year. In order to promote paternity leave, the Government introduced a Father's Month program since 2014. If both parents take the childcare leave successively for the same child, the childcare benefit for the second parent is raised to 100% of their ordinary monthly wage up to KRW 1.5 million for the first month of childcare leave. (Recommendations 26, 48)

45. Sexual harassment in the workplace is subject to criminal punishment if it constitutes the elements of crimes under the *Criminal Act*, but in principle, sexual harassment in the workplace is considered as a discriminatory practice. The *Equal Employment Opportunity and Work-Family Balance Assistance Act* prohibits sexual

harassment in the workplace committed by an employer, superior, or worker against other workers. Administrative fine is imposed on an employer who committed sexual harassment, and corrective orders are in place for an employer to take disciplinary measures against anyone who committed sexual harassment in the workplace. The victims of sexual harassment can seek remedial measures by claiming civil damages or filing a complaint to the NHRCK. (Recommendation 49)

46. The Government is making efforts to prevent sexual violence and domestic violence by drawing up comprehensive measures through inter-ministerial cooperation to intensify punishment for perpetrators and to strengthen support for victims. In December 2012, the provision that stipulated sex offence as an offence that is punishable only by complaint was abolished. The sex offenders registration and notification system, which was set up to prevent recidivism, has been reformed to allow identification of sex offenders via mail notifications and smartphone applications. Consulting centres and shelters for victims of sexual violence are also being expanded, along with the expansion of free legal aid programs. Public Defender for Victims was adopted in 2012 and has been in operation since 2013 for all victims of sexual violence, providing legal support from the early stages of sexual assault response to investigations and trials. (Recommendations 39, 40)

47. The proactive employment improvement measures have been in place since 2006 in accordance with the *Equal Employment Opportunity and Work-Family Balance Assistance Act*. Under these measures, public agencies and private enterprises employing more workers than the scale prescribed in the law should submit the current status of male and female workers by job type and by position and the implementation plans for employment improvement to the Minister of Employment and Labour. Since 2013, the enforcement regulation was amended to broaden the scope of the workplace obligated to submit implementation plans. Under the previous regulation, workplaces that fall short of the 60% threshold of the proportion of female employee in the total employee compared to the industry average were obligated to submit the implementation plans. The amended regulation raised the threshold to 70%. The Government also introduced the scheme in which the list of the employers failing to implement proactive employment improvement measures are published, and set up the specific standards. As a result, the proportion of female workforce in the concerned public agencies increased to 36.4% in 2015 and 37.3% in 2016, and the proportion of female in the management increased to 15.9% in 2015 and 16.4% in 2016. In the political sector, female candidates must take up 50% of the nominations by the political parties for proportional representation of the National Assembly and for proportional representation of local councils. Likewise, the proportion of female candidates must take up 30% or more of the number of total candidates for district constituency of the National Assembly and of local councils. As a result, the number of female lawmakers in the National Assembly, which accounted for merely 5.9% in the 16th National Assembly, increased to 13.0% in the 17th, 13.7% in the 18th, 15.7% in the 19th, and 17.0% in the 20th National Assembly.

48. With the accession to the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*, the Government amended the *Military Service Act*, which prescribes only male over 18 years of age are eligible for the conscription status of class 1. Under the Act, all males are obligated to serve military duty, and undergo physical examination for draft at the age of 19. Those who are found to be qualified to perform active service enlist in the military the year they took the physical examination for draft or the year after. Also, the *Act on Punishment, etc. of Crimes under Jurisdiction of the International Criminal Court* prohibits conscription or enlistment of persons under the age of 15 into army or armed forces. The violation of this may be subject to punishment by imprisonment for a fixed term of not less than three years. (Recommendation 20)

49. To protect the right to education for children with disabilities, the Government increased the number of special classes and special education teachers with expertise by a large number. 70.4% of children with disabilities take inclusive education on average. The Government is developing educational materials designed to fit different types and characteristics of disabilities, and is strengthening nationwide education on improving public awareness towards the disabled. The National Youth Healing Centre, a residential treatment centre, was launched to provide assistance to children with behavioural and emotional disorders, where teenagers having difficulty controlling their emotions and behaviours are provided with comprehensive assistance including counselling, treatment, protection and education for their recovery and healthy development. (Recommendation 19)

50. The universal birth registration requires mandatory birth reporting upon the birth of a child. The birth of a child of foreign nationals born in the Republic of Korea shall be registered in accordance with the laws of their countries even in cases where the parents are undocumented migrants. Children born to refugees can be registered as foreigners if they submit birth certificate issued by a hospital. The *Act on the Registration, etc. of Family Relation* was amended in May 2016 to allow a prosecutor or the head of a local government to report a child's birth if the persons who are obligated to report fails to do and jeopardizes the child's welfare. (Recommendation 29)

51. To withdraw the reservation to the provision concerning adoption in the *Convention on the Rights of the Child*, the Government revised the *Act on Special Cases Concerning Adoption* in its entirety in August 2011, and prescribed the permission of the courts for both international and domestic adoption of a child in need of protection. In February 2012, the Government amended the *Civil Act* to require permission of the family court for adoption of a minor, and introduced relevant procedures to the *Family Litigation Act*. The Government also ensured that when the family court renders a decision on adoption of a child over 13 years of age, the child's opinion must be sought to respect the interests and opinion of a child upon in the process. The Republic of Korea signed the *Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption* in May 2013, and is currently legislating domestic law for its implementation. The relevant Government ministries have discussed the withdrawal of the reservation to Article 21 paragraph (a) of the *Convention on the Rights of the Child*, and the procedure for withdrawal is now underway. Furthermore, the Regulation for Family Litigation was amended in December 2016 to provide for compulsory parental education for adoption under the *Civil Act*, which used to be mandatory only for the adoption under the *Act on Special Cases Concerning the Promotion and Procedure of Adoption*. According to the amended regulation, adoptive parents must take education on psychological and emotional characteristics of adoptive children and on the effective ways of parenting before they are legally able to proceed with adoption. This measure is expected to protect the rights of adoptive children and to help both adoptive parents and adoptive child adjust to their new family form. (Recommendations 10, 47)

52. In order to prohibit corporal punishment in schools, the *Enforcement Decree of the Elementary and Secondary Education Act* was amended in 2011, according to which the principal shall discipline or guide a student but is forbidden to use tools on the body to inflict pain on the student. As for child abuse, the Government enacted the *Act on Special Cases Concerning the Punishment, etc. of Child Abuse Crime* in 2014 in order to strengthen punishment and correction of perpetrators, along with the expansion of obligated reporters of child abuses, provision for the grounds of restricting unjust exercise of parental rights and stipulation for the police and specialized child protection agencies to access to the site upon the child abuse report. The Inter-Ministerial Committee on Countering Child Abuse was launched in 2015 and it announced the Countermeasures against Child Abuse developed through continuous consultation and cooperation in March 2016. The

Government has also developed and disseminated various types of materials on parent education. The week for parent counselling has been designated to provide parents with instruction and counselling regarding child abuse and campaigns on prevention of child abuse have been organized. (Recommendations 17, 38, 40, 41)

53. In effort to prevent child sexual abuse, the Government strengthened education by expanding institutions obliged to take preventive education on sexual abuse including schools and workplaces. The Government has tightened punishment for sex crimes, designated police investigative team and prosecutors exclusively in charge of sexual violence, organized annual workshops to train investigators in charge of crimes against women and children, all to facilitate prompt response and investigation. The victims of sex crimes are assisted by public defenders and statement assistance. The sex offenders are not only subject to criminal punishment but also registered in the sex offender registry, and are forbidden to work in facilities designed for children and juveniles. The courts can order the sex offenders against children and juveniles to wear ankle monitors, and those offenders who are sexual deviant and over 19 years of age may be ordered to undergo pharmacologic treatment for up to 15 years. (Recommendation 41)

54. Child suspects are guaranteed to take advantage of the state appointed assistants, and to accompany the person in fiduciary relationship to seek expert's advice or legal assistance. A minor shall be detained separately from adults over 19 years of age. Juvenile Reformatory has been refurbished to make confinement wards smaller and several measures are taken to restore trust in family relationships and encourage juvenile offenders to go to college or to take vocational training. As for juvenile offenders, alternative measures to detention are highly encouraged, such as suspension of prosecution on condition of guidance, an order of community service, and an order to attend a lecture. Meanwhile, in 2014, the *Enforcement Decree of the Act on the Treatment of Protected Juveniles* was amended under which a juvenile is to be given enough opportunity to make a statement during investigations for disciplinary actions, and, in practice, the Deliberation Committee on Treatment later makes sure the opportunity is given to the juvenile inmate. The courts are required to hear children aged over 13 years of age when they make decision on parental authority or guardianship or adoption concerning the child. The amendment of the *Family Litigation Act* is underway to require the consideration of the opinion of a child regardless of their age in all family cases that may affect the welfare of the child. (Recommendation 45)

55. The Government amended the *Criminal Act* to newly stipulate the crime of human trafficking in order to ratify the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*. The amended *Criminal Act* expanded the purpose of kidnapping and abduction, along with the previously stipulated purpose of "engaging in an indecent act, sexual intercourse or marriage, or for gain" and "transportation of a person out of the Republic of Korea", to include the purpose of "labour exploitation, sex trafficking, or the acquisition of organs". The consequentially aggravated crimes of human trafficking were also more specified into bodily injury and murder and death, in line with the principle of liability. A person who recruits, transfers, or delivers another with the intent to commit human trafficking has become principal rather than accessory under the amended *Criminal Act*, as such acts are defined as distinct acts of crimes. The provision of universal jurisdiction has been introduced so as to punish foreign nationals in the territory of the Republic of Korea, who have committed the same crime outside the Republic of Korea. The Government presented the bill for the consent of the ratification of the Protocol on Trafficking in Persons, which passed National Assembly in 2015 and the instrument of ratification was deposited with the United Nations. The Protocol took effect in Korea on 5 December 2015. (Recommendations 42, 43)

F. Protection of the rights of minority

96. As the foreign population residing in the ROK increased, the Government legislated the *Framework Act on Treatment of Foreigners Residing in the Republic of Korea*, based on which the Government formulates basic plans for immigration policy every five years. The Second Basic Plan for Immigration Policy, currently being implemented, underscores public order and safety and immigrants' responsibility and contributions. At the same time, it also sets out specific policy tasks for improving the legal system to ensure respect for the human rights of immigrants and prevention of discrimination against immigrants and for raising awareness on cultural diversity. Based on the basic plan, the Government devises yearly implementation plans and conducts annual assessment on performance of the plan implementation. Along with the assessment on the progress of each task, indices for each policy target are set up to assess the overall effectiveness of the policy. (Recommendations 11, 12, 46, 69)

97. In light of the characteristics of the Employment Permit System (EPS), the entire abolition of the restriction on workplace transfer of migrant workers is difficult to pursue. However, in order to prevent restrictions on human rights of migrant workers due to prohibition on workplace change, the Government amended the relevant regulations to permit workplace change of a migrant worker on the grounds other than the migrant worker's own liability starting in July 2012 without having to obtain their employer's consent. Such workplace change does not count towards the maximum number of workplace change allowed for all migrant workers. In addition, in 2016, the Government amended the relevant regulations to ensure that a workplace change attributable to the violation of the *Occupational Safety and Health Act* or the *Minimum Wage Act* or a workplace change decided by a subcommittee of the Council on Protection of Rights and Interests of Migrant Workers does not count towards the maximum number of workplace change allowed for the migrant worker so as to protect the rights and interests of migrant workers. (Recommendation 65)

98. Migrant workers who have entered into the ROK under the EPS enjoy the same fundamental labour rights as Korean nationals. In June 2015, the Supreme Court of Korea ruled that anyone, including undocumented workers, who provides labour in return for wage is a worker within the law. Subsequently, a labour union of migrant workers was established. Through the Korea Support Centre for Foreign Workers established for foreign and migrant workers, the Government not only provides counselling for difficulties rising from cultural difference and imperfect language communication but also classes on Korean language, law, and culture. Since 2009, the Government focuses its monitoring on workplaces that hire migrant workers who have been in the country less than three months and provide the migrant workers with assistance for their initial adaptation to the country. Also, the Government establishes and operates councils on protection of rights and interests of migrant workers in the employment centres nationwide through which the Government discusses measures to resolve conflicts between migrant workers and their employers and provides training for developing vocational capacity to migrant workers. It is mandatory for migrant workers be subscripted to the national health insurance and the industrial accident compensation insurance as it is for Korean nationals while subscription to the employment insurance is optional. Although the subscription to the national pension service is subject to the principle of reciprocity, the lump sum refund policy is applicable to all migrant workers who entered the country under the EPS. Moreover, the Government is enforcing an insurance system exclusively for migrant workers that is designed to be a hedge against overdue severance pay and wages, a safety net for safe return to the home country, and a measure of support for injury and death resulting from causes other than industrial accident. Meanwhile, in order to protect migrant workers in agriculture and livestock industries, out of 3,000 workplaces it annually inspects, the Government conducts more than 30% of its

annual inspection on workplaces in agriculture and livestock industries. The Government is also drafting and distributing standard labour contact forms to agriculture and livestock industries to improve living conditions of the migrant workers and to guarantee labour rights and decent working conditions. (Recommendation 67)

59. The Government provides services to migrant women who are victims of domestic violence through the Emergency Support Centre for Migrant Women, founded in 2006. Since 2014, the services became available in 13 different languages. Since April 2014, through the *Danuri* Helpline, the Government provides a one-stop emergency counselling service on life in Korea and domestic violence report. The Shelter for Migrant Women provides safe protection to migrant women who are victims of domestic violence and their accompanying children and provides assistance for counselling, medical treatment, legal advice, and departure. The average number of persons protected at the centre increased from 17 in 2008 to 271 in 2016. Furthermore, special provisions are written into the *Immigrant Act* to permit extension of a migrant's stay in the ROK if the person is a victim of domestic violence, sexual violence, human trafficking, or other forms of violence committed in the country and is in the process of seeking a trial, an investigation by an investigative agency, or other medical procedures, so as to enable the victims to resort to judicial proceedings with confidence. (Recommendation 39)

60. The children of undocumented immigrants are not eligible for national health insurance or health benefit. However, if they are under the age of 12, they are eligible for free national vaccination for 17 diseases. In effort to ensure essential health care services for those not eligible for the benefits of the national health insurance nor health benefits, the Government provides medical subsidy for a maximum of KRW 5 million per hospitalization or surgery and pays children under the age of 18 for their medical bills for prenatal care and outpatient treatment. In addition, the children of undocumented immigrants are eligible for entering childcare centres if the parents separately pay the cost of childcare for their child. For those under the age of two, the Government ensures they receive childcare at the centre by directly subsidizing the relevant centre for the cost of basic childcare. (Recommendation 66)

61. The *Refugee Act*, which has been enforced since July 2013, was intended to intensify the expertise in refugee recognition procedure and to provide social treatment for recognized refugees and asylum seekers. Subsequently, the Act provides for asylum seekers' right to collect favourable materials, right to counsel, right to interpretation service during interview, and right to apply for refugee status at the point of entry regarding the refugee status determination. Moreover, as Syria's civil war intensified, Syrian asylum seekers were granted humanitarian status since 2014 if they could not be recognized as refugees under the *Refugee Act*. Since 2015, the Government has been operating a three-year pilot project under which the refugees under resettlement are accepted. The Government plans to review the result, based on which the Government will make a decision on transforming the pilot project into a regular project. (Recommendation 68)

62. Also, the Government is providing asylum seekers in need with subsidies for living cost and housing at the Korea Immigration Service. Asylum seekers are eligible for a work visa after six months from their application for refugee status. Those recognized as refugees are also provided with social security, basic livelihood subsidies, education, and training for social adaptation. Spouses of recognized refugees are granted permission to enter and reside in the Republic of Korea. All of the registered foreigners including refugees can voluntarily participate in receiving social adaptation education. The Government is also making efforts to encourage cultural exchanges between the residents and migrants and social integration by supporting regional culture foundations. (Recommendations 64, 68)

IV. The voluntary pledges and contribution for the promotion and protection of human rights at the international level

63. The voluntary pledges and commitments, which the ROK submitted in 2015 as it sought a seat as a member of the HRC, are manifestation of the Government's sincere embracement of the recommendations made during the second UPR, whose implementation status is discussed in depth in Chapter III.

64. The Government submitted to the 70th session of the UN General Assembly the voluntary commitment specifying its determination to contribute to the UNHRC activities, along with its domestic and international pledges for human rights protection and promotion. As demonstrated in the voluntary commitments, the ROK, as a member of the UNHRC for 2016-2018, has contributed to improving human rights all over the world and to strengthening the functions of the HRC by actively participating in discussions for protection and promotion of human rights protection of vulnerable groups including women, children, and persons with disabilities. In particular, the ROK has introduced a resolution on "local government and human rights" every 1–2 years, raising global awareness on the responsibility of local governments for human rights protection. In 2016, the Permanent Representative of the ROK to the United Nations Office at Geneva, Choi Kyong-lim, was appointed as President of the Human Rights Council, making significant contributions to discussions of the UNHRC on making the Council more effective and efficient.

65. In the meantime, as a member of executive boards and a commission within the UN human rights mechanism, the Government is taking part in the global efforts to protect and promote human rights of the vulnerable groups. As a member of the UN Women Executive Board, the Commission of the Status of Women, the ROK has put in efforts to promote gender equality and empowering women and actively engaged in global discussions on promoting and protecting the rights of children, and UNICEF Executive Board. Moreover, the Ambassador of the ROK to the UN served as a chair of the Conference of the State Parties to the *UN Convention on the Rights of Persons with Disabilities* in 2015–2016, striving to make the society more inclusive for persons with disabilities. The ROK has partaken in global efforts to protect and promote the rights of persons with disabilities.

V. Progress and challenges on new issues

66. As the international standards for the transnational corporations and human rights developed in the HRC, the Government took measures to serve as a mediator between business enterprises and the labour union when a complaint pertaining to business and human rights was lodged with the National Contact Point (NCP), established in line with the *OECD Guidelines for Multinational Enterprises*. In 2013, the Government reorganized the NCP to ensure participation of both the government and corporate social responsibility experts from private sector. Starting 2017, labour experts and mediation experts are additionally invited to take part in the NCP, and in March 2017, the ROK sought a peer-review at the OECD Secretariat. Lately, the NCP, with respect to grievance procedure, has been arranging meetings between the parties to remedy the grievance and making recommendations that are stipulated under the *OECD Guidelines for Multinational Enterprises*. The ROK will carry on with its effort for impartial management of the NCP and will transparently disclose the management process, thereby winning the trust of different stakeholders. Currently, the ROK is considering the establishment of the National Action Plans on Business and Human Rights, taking into consideration the OECD guidelines, NAP technical guidelines, and the recommendations made by the NHRCK.

67. Amid growing calls for the Government's action to tackle the violation of fundamental human rights and harsh treatment in the military, the Government enacted the *Framework Act on Military Status and Service* in December 2015. The Act requires the military authority to conduct regular education on military human rights, imposes a duty upon all soldiers to report on harsh treatment by another, and ensures protection for a soldier who reports on harsh treatment, to eliminate beating and cruel treatment in the military. Every year, the Ministry of National Defence conducts field visits to inspect human rights situation in the military and also monitors the implementation status of human rights policy in the military through the Council on Human Rights in the Armed Forces and the Advisory Committee on Military Human Rights. Since July 2017, the military operates the Military Human Rights Monitoring Group, consisting of soldiers, parents, and ordinary citizens, actively taking note of the calls for improvement of human rights in the military. Along with the policies led by the Ministry of National Defence for the human rights protection, a legislative bill on the establishment of an independent monitoring mechanism is currently submitted to the National Assembly, the contents of which include appointment of a military human rights officer at the NHRCK in order to prevent human rights violations in the military and provide remedies for human rights violations. The Government will actively pursue these initiatives as well.

68. The ROK is expected to become an aged society by 2018, where the elderly aged over 65 years of age accounts for 14% of the population. Under the circumstances, the issues such as elderly poverty, elderly suicide, elder abuse, and elderly providing for another elderly are becoming objects of public concern. In response to such concerns, the Government has introduced the basic pension scheme in July 2014, under which around 70% of the elderly aged over 65 years of age are receiving benefits as of June 2017. In addition, as of 2017, around 440,000 elderly are participating in the elderly employment program designed for the elder who have difficulties in finding jobs in the labour market. In response to rising rate of elderly suicide, a program has been put in place since 2007 to check on the elderly via personal visit, phone call, and other equipment. From 2011, the Government forged a partnership with the private sector and has been providing service to check on the safety of the elderly and other volunteer services. A friendship program has been put in place since 2014 to help senior citizens living alone build social networks. To prevent elder abuse and to protect elderly victims of abuse, since 2004, the Government has been increasingly building infrastructure facilities such as elder protection institutions, shelters for elder victims of abuse, and other infrastructure of similar kind. Since 2017, June 15 has been marked as the Elder Abuse Prevention Day in order to raise public awareness on the matter. Moreover, the Government is refining relevant legislations and institutions such as the *Welfare of Older Persons Act*, which imposes heavier punishment for perpetrators of elder abuse, publication of the list of the perpetrators, and restriction on the perpetrators' employment. In 2008, the Government introduced the long-term care insurance for older persons with a view to creating a robust public care system. As of 2017, the Government is deliberating on institutional reform to alleviate the burden on the elderly taking care of another elderly by easing the criteria for obligatory support providers under the National Basic Livelihood System.